

**MINUTES OF THE
SENATE JUDICIAL CONFIRMATION COMMITTEE**
Tuesday, November 10, 2009 – 12:00 p.m. – Room 450 State Capitol

Members Present:

Sen. Scott K. Jenkins, Chair
Sen. Jon J. Greiner
Sen. Karen Mayne
President Michael G. Waddoups

Members Absent:

Sen. Lyle W. Hillyard

Staff Present:

Ms. Esther D. Chelsea-McCarty, Associate General Counsel
Mr. Jerry D. Howe, Policy Analyst
Ms. Amanda K. Majers, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Jenkins called the meeting to order at 12:06 p.m. Sen. Hillyard was excused from the meeting. Mr. John Frederic Voros, Jr. introduced his family, friends, and colleagues to the Committee. The Committee introduced themselves to the candidate and the audience.

MOTION: President Waddoups moved to close the meeting for the purpose of discussing the character, professional competence, or physical or mental health of Mr. John Frederic Voros, Jr. The motion passed unanimously.

MOTION: Sen. Mayne moved to open the meeting. The motion passed unanimously.

2. Interview of Mr. John Frederic Voros, Jr.

Mr. Voros was placed under oath by Mr. Howe. Mr. Voros stated that as an employee of the Utah Office of the Attorney General he often interacted with the Legislature advocating for amendments to the Post-Conviction Remedies Act and a post-conviction remedies constitutional amendment. He informed the Committee of his personal and professional background. Mr. Voros explained the purpose of the Criminal Appeals Division of the Utah Office of the Attorney General and his duties as the chief of the division. He described his judicial philosophy that the law is above any individual person and to be worthy of the honor of being a judge one must follow and apply the law. He stated that his skill set and temperament are well suited to the role of judge.

Sen. Mayne advised Mr. Voros to advocate up, not prosecute down, and to realize that judicial decisions affect families.

Sen. Greiner asked Mr. Voros about his community involvement and hobbies. Mr. Voros stated that he is involved academically, he participates in his church choir, and he is an amateur song writer. He related that he was a member of the board of Volunteers of America, which helps the homeless and those with substance abuse problems. Mr. Voros mentioned that he and his wife often travel to Canada to visit her family and hike.

Sen. Greiner inquired about Mr. Voros's resume and a start-up business he owned. Mr. Voros stated that at that time he experienced a period of career dislocation and explained that the start-up business was not relevant to his law practice history so he left it off of later resumes.

Sen. Greiner asked Mr. Voros what he would have done differently in life, if he had a chance to go back and change it. Mr. Voros answered that if he could change a period in his career it would be the 1980s when he went from job to job and was often professionally dissatisfied. He observed that he found the right match for his gifts and abilities with his career at the Utah Office of the Attorney General because of its emphasis on reading, researching, analyzing, writing, and strategizing.

President Waddoups asked if Mr. Voros has considered how becoming a judge will affect his social life. Mr. Voros responded that the greatest sacrifice to him will be losing the support and friendship of his colleagues at the Utah Office of the Attorney General.

President Waddoups inquired whether there is anything in Mr. Voros's past that if it were to become publically known would be an embarrassment to the judiciary or the state. Mr. Voros replied that there was not.

President Waddoups questioned Mr. Voros about his opinion of judicial activism. Mr. Voros answered that he does not see it as the role of a judge to write personal policies into the law. He stated that judges should apply the law as written not as one wishes it to be applied. He explained he would look at context, history, precedent, and consequences before ruling on a case.

Sen. Jenkins stated that he received favorable recommendations for Mr. Voros.

Sen. Mayne read written comments from Mr. Voros concerning his judicial philosophy. She stated that because he wrote those comments she believes he will adhere to them.

Ms. Annina Mitchell, Solicitor General, Utah Office of the Attorney General, spoke in favor of the candidate.

Mr. Creighton Horton, former Assistant Attorney General, Utah Office of the Attorney General, spoke in favor of the candidate.

MOTION: Sen. Greiner moved to recommend favorably to the full Senate that Mr. Voros be confirmed as a judge on the Court of Appeals. The motion passed unanimously.

3. Other Items / Adjourn

MOTION: Sen. Greiner moved to adjourn. The motion passed unanimously.

Chair Jenkins adjourned the meeting at 1:34 p.m.